

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 3:07CR137-P-A

ROBERT C. HILL

ORDER

This cause is before the court on the defendant's Motion for Continuance [20]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for February 11, 2008. Defense counsel represents in the motion that defendant's co-counsel, Martin W. Zummach, is under military orders to report for active duty training from February 10 to February 15, 2008. The motion further avers that "both attorneys for the Defendant will need to be present to try this matter . . . due to the unique nature of the case."

The above-described circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from February 11, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because a continuance is necessary to ensure defense counsel's availability at trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [20] is GRANTED;
2. That the trial of this matter is continued until Monday, March 17, 2008 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire

- is to be held at the same time and place;
3. That the delay from February 11, 2008 until March 17, 2008 is excluded as set out above;
 4. That the deadline for filing pretrial motions is February 25, 2008;
 5. That the deadline for submitting a plea agreement is March 3, 2008.

SO ORDERED, this the 31st day of January, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE